



TALBOT COUNTY, MARYLAND

County Council

MINUTES

October 27, 2015

Present – President Corey W. Pack, Vice President Laura E. Price, Dirck K. Bartlett, Chuck F. Callahan, Jennifer L. Williams, County Manager R. Andrew Hollis, County Attorney Michael Pullen and Assistant County Attorney Anthony Kupersmith.

- I. Agenda – Mr. Pack requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, October 27, 2015.
- II. Minutes – Mr. Pack requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, September 22, 2015.
- III. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, October 20, 2015 and Tuesday, October 27, 2015.
- IV. Eligible for Vote:

Bill No. 1320, A BILL TO ESTABLISH A HISTORIC DISTRICT OVERLAY DISTRICT ON TAX MAP 1, PARCEL 4, LOCATED AT 14256 OLD WYE MILLS ROAD, WYE MILLS, MARYLAND, KNOWN AS THE “MILLER’S HOUSE” was read into the record and brought forward for vote. Prior to the vote, Planning Officer, Mary Kay Verdery, briefed the Council on the history of the property, which dates from circa 1750 and is listed on the National Register of Historic Places. She stated that the house, known as the “Miller’s House,” refers to the occupation of the individual who lived in the house, not the name of the individual who lived there and that the Council may establish a historic district overlay district if it finds that the property or a structure on the property is of local, state, national or architectural significance. She stated that the project had been reviewed by the Historic Preservation Commission and the Planning Commission and that both groups approved forwarding the matter to the Council for their consideration; if approved, the Historic District Overlay District would be the 21st such district approved in Talbot County since establishment of the overlay districts in 1976. Upon motion by Ms. Price, seconded by Ms. Williams, Bill No. 1320 was brought to third reader. County Manager, Andy Hollis stated that a majority of the Council has visited the site, as is required in the County Code. Upon motion by Mr. Callahan, seconded by Mr. Bartlett, the County approved Bill No. 1320 by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Callahan - Aye

Bill No. 1320 will become effective as provided for in the legislation.

V. Introduction of Legislation:

A BILL TO AMEND BILL NO. 1303, THE 2015-2016 ANNUAL BUDGET AND APPROPRIATION ORDINANCE, TO MAKE ADDITIONAL APPROPRIATIONS FROM UNANTICIPATED REVENUES TO CERTAIN DEPARTMENTS IN THE CURRENT EXPENSE BUDGET was read into the record by the Clerk and brought forward for introduction. Mr. Hollis stated that the County had received approximately \$1,105,000 in unanticipated revenues from the following sources: \$700,000 from the Talbot County Health Department from a prior year's appropriations, and \$405,000 which had been retained from prior years' Roads appropriations. He stated that the proposed emergency legislation is to appropriate funding for a capital outlay purchase for the Emergency Management Department in the sum of \$700,000 for hardware and software upgrades to the County's 9-1-1 system and for equipment purchases related to the transition of the dispatching of 9-1-1 calls for the Easton Police Department to the County. Ms. Lane stated that the portion of unanticipated revenues proposed for allocation to the Roads Department would be used for the purchase of dump trucks to replace aged equipment which is no longer safe to use. The legislation was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price and Ms. Williams as Bill No. 1321. A public hearing was scheduled for Tuesday, November 24, 2015 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO AUTHORIZE EXTENSION OF SEWER SERVICE FROM THE REGION II WASTEWATER TREATMENT PLANT TO THE MARTINGHAM SEWER SERVICE AREA was read into the record by the Clerk and brought forward for introduction. Finance Director, Angela Lane, stated that the capital enabling legislation will authorize extension of sewer service from the Region II Wastewater Treatment Plant to the Martingham community located just outside St. Michaels. She stated that the cost of the sewer extension will be funded by State and federal grants and long-term borrowing and will be repaid by the users of the system through the establishment of a separate sanitary district. The legislation was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams as Bill No. 1322. A public hearing was scheduled for Tuesday, November 24, 2015 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, Easton, Maryland 21601.

A BILL TO ESTABLISH THE "SUSTAINABLE TOURISM AND REINVESTMENT DISTRICT" TO PERMIT CONSIDERATION OF PROPOSALS TO REDEVELOP AND REINVEST IN CERTAIN EXISTING TOURISM-RELATED FACILITIES, TO SPECIFY THE DISTRICT'S PURPOSE, DISTRICT REQUIREMENTS, PERMITTED USES AND BULK REQUIREMENTS; TO ESTABLISH A PROCESS FOR APPLICATION, REVIEW, AND APPROVAL OF SUCH DISTRICTS, AND GENERALLY RELATING TO SUSTAINABLE TOURISM AND REINVESTMENT DISTRICTS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, Mr. Pullen stated that the purpose of the proposed legislation is to promote the County's tourism industry by allowing reinvestment through rehabilitation, redesign and upgrades of existing tourism-related structures that are subject to restrictions on non-conforming uses and structures. Mr. Pullen also outlined existing restrictions to, requirements for, and the process by which proposed projects may request to be considered for inclusion in a Sustainable Tourism and Reinvestment (STAR) District. He stated that the legislation had been reviewed by the Planning Commission at its October 7, 2015 meeting and had received a unanimous recommendation for approval, with several comments, to forward to the Council; the legislation also received unanimous support from the Martingham Homeowners Association. Council discussion ensued with Mr. Pullen and Planning Officer, Mary Kay Verdery. The legislation was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams as Bill No. 1323. A public hearing was scheduled for Tuesday, November 24, 2015 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

VI. County Manager's Report:

A. Request from Department of Information Technology – Requested Council approval to have the Department of Information Technology purchase the following items as replacements or upgrades to the County's wireless network: a link from the Library to the Department of Corrections facility in the sum of \$13,240.32; a link to the Hog Neck Golf Course pro shop and maintenance shed from the Talbot County Community Center in the sum of \$16,220.28; and to provide maintenance service on the links from the Courthouse to the Community Center and Bay Street locations in the sum of \$3,500. Council discussion ensued with Mr. Hollis and Parker Durham, Director of Information Technology. Mr. Durham outlined the reasoning for his request to make the purchases from sole source provider, Business Information Group (BIG) Wireless, LLC, the County's wireless link provider for several years. Upon motion by Ms. Price, seconded by Ms. Williams, the Council approved the requests by voting 5– 0 as follows:

Mr. Pack - Aye
Ms. Williams – Aye
Mr. Bartlett – Aye
Ms. Price- Aye
Mr. Callahan – Aye

B. Loan Resolution with the United States Department of Agriculture (USDA)/Rural Development - Requested Council approval of a loan resolution with USDA/Rural Development for the Martingham sewer extension project in the sum of \$4,120,000. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved the Resolution by voting 5 – 0 as follows:

Mr. Pack - Aye
Ms. Williams – Aye
Mr. Bartlett – Aye
Ms. Price - Aye
Mr. Callahan – Aye

C. Loan Resolution with the United States Department of Agriculture (USDA)/Rural Development – Requested Council approval of a loan resolution with USDA/Rural Development for the County's Bio-Solids Facility in the sum of \$5,975,000, the cost of the initial scope of the project to upgrade the Facility. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council approved the Resolution by voting 5- 0 as follows:

Mr. Pack - Aye
Ms. Williams – Aye
Mr. Bartlett – Aye
Ms. Price - Aye
Mr. Callahan – Aye

D. Loan Resolution with the United States Department of Agriculture (USDA)/Rural Development – Requested Council approval of a loan resolution with USDA/Rural Development for the County's Bio-Solids Facility in the sum of \$1,158,000, the cost of a design change to the initial scope of the project to incorporate a screw press. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council approved the Resolution by voting 5 – 0 as follows:

Mr. Pack - Aye
Ms. Williams – Aye
Mr. Bartlett – Aye
Ms. Price - Aye
Mr. Callahan – Aye

- E. Talbot County Public Works Advisory Board – Requested Council approval for the appointment of Cory Buxton to the Talbot County Public Works Advisory Board as a representative of the 2nd Election District (St. Michaels); said term will complete the unexpired term of John Wolfe and will expire on May 1, 2017. Upon motion by Mr. Callahan, seconded by Ms. Williams, the Council approved the appointment by voting 5– 0 as follows:

Mr. Pack - Aye
Ms. Williams – Aye
Mr. Bartlett – Aye
Ms. Price - Aye
Mr. Callahan – Aye

VII. Council Comments:

Ms. Williams-	Ms. Williams stated that the Council had had a couple of busy weeks and it appears they are going to continue to be busy. She stated that, in her opinion, it is great to get out to meet people in Talbot County, to hear from people, and to be a part of the county.
Mr. Bartlett –	No comments.
Ms. Price –	No comments.
Mr. Callahan -	Mr. Callahan stated that the Council had had an opportunity to all be together at the Mayor’s Prayer Breakfast on Friday morning, to meet a lot of people and to hear three speakers.
Mr. Pack -	Mr. Pack concurred with Mr. Callahan’s statements, stating that, in his opinion, it was an excellent breakfast and a nice affair.

- VIII. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council voted to recess the meeting and to reconvene at 6:45 p.m. in the Library Meeting Room for public comment on the “Talbot Boys” statue; to reconvene on Monday, November 2, 2015 from 4:00 p.m. to 6:30 p.m. in the Bradley Meeting Room for a work session with staff on the draft Comprehensive Plan; and to reconvene on Tuesday, November 10, 2015 at 12:30 p.m. in Executive Session for discussion of legal, personnel, and real estate matters, and for the regularly scheduled Council meeting at 1:30 p.m. by voting 5 - 0 as follows:

Mr. Pack – Aye
Ms. Williams – Aye
Mr. Bartlett – Aye
Ms. Price - Aye
Mr. Callahan - Aye

The meeting adjourned at 6:38 p.m.

The meeting reconvened at 6:49 p.m.

- IX. Public Meeting on “Talbot Boys” Statue – The Council reconvened the Council meeting in the Meeting Room of the Talbot County Free Library in Easton for the purpose of hearing public comment on the presence of the “Talbot Boys” statue on the Courthouse green. Prior to comment by members of the public, Mr. Pack gave a brief synopsis of recent events in South Carolina which had sparked a national debate regarding whether Confederate monuments should be erected on public property, the history of how the “Talbot Boys” statue came to be located on the Courthouse grounds, and the recommendations of the NAACP with regard to the statue. The public was afforded an opportunity to present their thoughts on the matter. The Council will continue to take the matter under consideration.

The transcript of the October 27, 2015 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- X. Annual Meeting with Local Delegation - The Talbot County Council held their annual meeting with members of the local delegation, Senator Adelaide Eckardt, Delegate Johnny Mautz, and Delegate Christopher Adams on Tuesday, October 20, 2015 at 4:00 p.m. in the Bradley Meeting Room. The Council requested the delegation’s support for the following Maryland Association of Counties (MACo) 2016 Legislative Initiatives: Restoration of Local Transportation Funding; Strong and Smart State Funding for School Construction; Addressing the Drug Problems Across the Counties; and Balancing Release of Police Body Camera Video. Other matters brought forward included: (1) Maryland Department of the Environment Controlled Burn regulations; (2) Discussion of Election Board requirements for space and number of employees; (3) Support for Continuation of Bay Restoration Funding for failing septic systems and upgrades to wastewater treatment plants; (4) Increase in Unemployment Tax for Small Businesses; and (5) House Bill 928, Sales and Use Tax – Agricultural Products and Equipment – Repeal of Exemption. Council discussion ensued with members of the local delegation as each matter was brought forward. The meeting ended at 5:15 p.m.
- XI. On Tuesday, October 26, 2015, an Executive Session of the Talbot County Council convened at 4:30 p.m. in the Bradley Meeting Room and the County Council Conference Room. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council met in Executive Session by voting 5 – 0 as follows:

- Mr. Bartlett – Aye
- Mr. Callahan – Aye
- Mr. Pack – Aye
- Ms. Price – Aye
- Ms. Williams – Aye

In accordance with State Article § 10-508(a)(1)(i) the purpose of the Executive Session was for a personnel matter to conduct interviews for the Public Works Advisory Board. The Executive Session ended at 5:30 p.m.

On Tuesday, October 27, 2015, an Executive Session of the Talbot County Council convened at 5:00 p.m. in the Bradley Meeting Room and the County Council Conference Room. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council met in Executive Session by voting 5 – 0 as follows:

- Mr. Bartlett – Aye
- Mr. Callahan – Aye
- Mr. Pack – Aye
- Ms. Price – Aye
- Ms. Williams – Aye

In accordance with State Article § 10-508(a)(1)(i)(3)(4)(7) the purpose of the Executive Session was for personnel matters to discuss a personnel matter regarding filling the vacancy for Permits Manager; to discuss a personnel matter regarding the hiring of the Talbot County Health Officer; and for a personnel matter to discuss appointments for various County boards and committees; for a legal/personnel matter to discuss negotiations with the Town of Easton regarding dispatch services for the Easton Police Department; for real estate matters to discuss the possible acquisition of property for a public purpose and to discuss the possible disposition of public property; and for a legal/real estate matter for legal advice concerning the relocation of Memorial Hospital at Easton to County owned property and the timetable for same. The Executive Session ended at 6:00 p.m.

CASH STATEMENT 10/20/2015

BALANCE 10/13/2015			\$36,184,963.97
INTEGRA CLAIMS THRU 10/13/2015			(42,132.17)
UHC CLAIMS THRU 10/13/2015			(20.46)
WELLS FARGO/GC EQUIPMENT LEASE 9/2015			(4,222.00)
USDA/RURAL DEV/REGION3 QTRLY BOND PMT 9/2015			(9,478.60)
USDA/RURAL DEV/AP SEWER LN 10/2015			(1,304.00)
PUBLIC FACILITIES 2010 BOND 11/15			(123,165.00)
2006 & 2008 ESCROW BOND			(46,984.76)
PUBLIC IMPROVEMENT REFUNDING BOND 2015			(7,500.00)
GOOD FAITH DEPOSIT BONDS OF 2015			170,000.00
PNC/MLGIP INTEREST ON ACCT 9/2015			1,312.06
DEPOSITS			507,021.41
CHECKS			(474,286.91)
VOID CK #302753, #302773, #302854			1,526.98
BALANCE 10/20/2015			<u>36,155,730.52</u>
<u>AIRPORT ACCOUNTS</u>			
AIP-RUNWAY 4-22 EXTENSION ANALYSIS			--
AIP37			16,762.37
AIP39			73,794.25
AIP40			30,252.21
AIP41			39,343.53
AIRPORT ACCOUNTS TOTAL BALANCE			<u>160,152.36</u>
INVESTMENTS – CERTIFICATES OF DEPOSIT			
<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.09%	18,000,000.00
TOTAL INVESTED			<u>\$18,000,000.00</u>
PETTY CASH BALANCE			<u>\$15,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$54,331,452.88</u>

CASH STATEMENT 10/27/2015

BALANCE 10/20/2015			\$36,155,730.52
INTEGRA CLAIMS THRU 10/19/2015			(42,207.71)
UHC CLAIMS THRU 10/20/2015			(8,944.39)
STATE REPORT 9/2015			(600,164.31)
PAYROLL – FD/SS/MS WH PPE 10/09/2015			(131,714.38)
DEFERRED COMP DED			(9,547.18)
MD WH			(32,831.24)
PENSION DED			(31,658.16)
FLEX SPENDING ACCT			(3,089.16)
ACH TRANSFER			(14,021.75)
SECU DED			(5,221.87)
DEPOSITS			1,367,927.84
CHECKS			(1,279,166.59)
BALANCE 10/27/2015			<u>35,365,091.62</u>
<u>AIRPORT ACCOUNTS</u>			
AIP-RUNWAY 4-22 EXTENSION ANALYSIS			0.00
AIP37			16,762.37
AIP39			73,794.25
AIP40			30,252.21
AIP41			39,343.53
AIRPORT ACCOUNTS TOTAL BALANCE			<u>160,152.36</u>
INVESTMENTS – CERTIFICATES OF DEPOSIT			
<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.09%	18,000,000.00
TOTAL INVESTED			<u>\$18,000,000.00</u>
PETTY CASH BALANCE			<u>\$15,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$53,540,813.98</u>